

SENTENCE REVIEW DIVISION OF THE SUPREME COURT OF MONTANA
Montana Twelfth Judicial District Court, County of Hill

STATE OF MONTANA,)	
)	
Plaintiff,)	
)	CAUSE NO. DC-17-019
-vs-)	
)	DECISION
REBECCA SHARON DENSON,)	
)	
Defendant.)	

On March 19, 2018, Defendant was sentenced to the Department of Corrections for five years, with no time suspended, for the offense of Count I: Assault on a Peace Officer. The sentence was ordered to run concurrently with Hill County Cause No. DC 17-014. Defendant received credit for time served of 56 days.

On October 5, 2018, the Defendant's Application for review of that sentence was heard by the Sentence Review Division of the Montana Supreme Court (hereafter "the Division"). The Defendant was present and was represented by Brent Getty of the Office of the State Public Defender. The State was not represented.

Before hearing the Application, the Defendant was advised that the Division has the authority not only to reduce the sentence or affirm it, but also increase it. The Defendant was further advised that there is no appeal from a decision of the Division. The Defendant acknowledged that she understood this and stated that she wished to proceed.

Rule 12, Rules of the Sentence Review Division of the Supreme Court of Montana, provides that, "The sentence imposed by the District Court is presumed correct. The sentence shall not be reduced or increased unless it is clearly inadequate or clearly excessive." (Section 46-18-904(3), MCA).

The Division finds that the reasons advanced for modification are insufficient to hold that the sentence imposed by the District Court is clearly inadequate or clearly excessive.


Therefore, it is the unanimous decision of the Division that the sentence is AFFIRMED.

Done in open Court this 5th day of October, 2018.

DATED this 19 day of OCTOBER, 2018.

SENTENCE REVIEW DIVISION

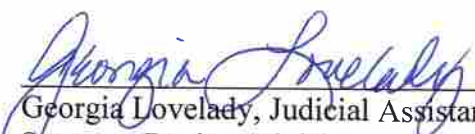

Hon. Kathy Seeley, Chairperson


Hon. Brenda Gilbert, Member


Hon. Dan Wilson, Member

Copies mailed this 7th day
of November, 2018, to:

Clerk of District Court (Original)
Rebecca Sharon Denson #22985, Defendant (2)
Hon. Daniel A. Boucher
Brent Getty, Defense Counsel
Hill County Attorney
Board of Pardons and Parole
MWP - Records Dept.


Georgia Lovelady, Judicial Assistant
Sentence Review Division